

Notice of Allowability

Application No.

09/935,006

Examiner

Greg Cunningham

Applicant(s)

MATHUR ET AL.

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE received 08/20/2004.
2. ☒ The allowed claim(s) is/are 1-59.
3. ☒ The drawings filed on 21 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 2676

DETAILED ACTION

1. This action is responsive to RCE amendment filed 08/20/2004.
2. The disposition of the claims is as follows: claims 1-59 are pending in the application. Claims 1, 30, and 59 are independent claims.

Claim Rejections - 35 USC § 112

3. In view of the amended claims 112 rejections are withdrawn.

Claim Rejections - 35 USC § 102 and 103

4. In view of amended claims and review of cited references and an updated search for prior art, 102 and 103 rejections are withdrawn.

Allowable Subject Matter

5. Claims 1-59 are allowed.
6. The following is an examiner's statement of reasons for allowance:

Applicant's amended independent claim 1 stands novel over the related prior art. For instance, while the related art of Sakamoto (U.S. Patent Number 6,201,550B1), does make use of gradation generation unit that sets a plurality of adjacent band-like regions which are perpendicular to a straight line connecting a start point with an end point and in which color values therein become uniform by using the vector of the changing direction of the transferred color and the color information at the start and endpoints, obtains the intersection point between the boundary of the band-like region and the scanning line, and sets such intersection point as the

Art Unit: 2676

color changing point. However does not require two distinct sets of attribute values, each defining a smooth transition between points on a gradient. The first set of attribute values define a smooth transition between a gradient starting point and at least one intermediary point. The second set of attribute values defines a smooth transition between at least one intermediary point and a gradient ending point. Therefore, the definition of the smooth transition between the gradient starting point and the at least one intermediary point is different from the definition of the smooth transition between the at least one intermediary point and the gradient ending point, and wherein the starting point, ending point, at least one intermediary point, and first and second set of values are defined by receiving user input as claimed in amended independent claims 1, 30, and 59.

Therefore as claimed by the combined elements of amended independent claims 1, 30, and 59, the cited references and prior art of record lack separately and in combination the elements of amended claims.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Responses

8. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 872-9306 may be used for formal communications.

Art Unit: 2676

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Inquiries

9. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.
The examiner can normally be reached on Monday - Thursday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the receptionist whose telephone number is (703) 305-4700.

J. T. Cunningham, Examiner

gfc

October 26, 2004

Matthew C. Bella

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
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